

Memorandum

To: Superintendents, Transportation Supervisors
From: Ray Merical, Supervisor, Transportation Services
Date: April 12, 2006
Re: Notice of Negotiated/Proposed Rulemaking

The State Department of Education received approval to proceed with a Notice of “Negotiated” Rulemaking from the State Board of Education on February 24, 2006. The notice was published in the April 5, 2006 Administrative Bulletin Docket No. 08-0202-0601.

The State Department of Education welcomes input from superintendents, district business managers, transportation supervisors and other interested parties. Interested persons may submit written comments through April 26, 2006.

A public hearing will be held April 27, 2006, 9:00 a.m. to 12:00 p.m. at the Idaho State Department of Education, LBJ Building, 2nd floor Conference Room 201, 650 State St., Boise, ID 83720-0027. Requests to give oral presentation during the public hearing must be submitted prior to April 25, 2006.

Current administrative rules related to Idaho’s pupil transportation support program became effective August 13, 2004. Minor changes in Standards for Idaho School Buses and Operations related to new school bus construction standards due to Idaho’s adoption of the 2005 National School Transportation Specifications & Procedures are anticipated. Changes in Standards for Idaho School Buses and Operations related to operations and reimbursement are anticipated in response to legislative inquiries, legislation and recent concerns expressed by various stakeholders.

The goal of the State Department of Education is to clarify standards language where appropriate and continue its support of rules and procedures designed to promote safety, equity, accountability and efficiency.

Proposed rule language will be distributed during May-June via electronic communications and web-based notices. SDE will seek State Board of Education approval to proceed with a “proposed” rule in June. Anticipated changes in rule include: Description of Types A, C & D buses, axle weight rating, parking brake interlock system, service brake air-loss protection valve, Type A bus front bumpers and tow hooks, battery cable size, alternator amperage, frame warranty requirements, alternative fuel tanks, engine governor, engine tachometer, vehicle odometer calibration, air pressure warning indicators, engine oil filter requirements, retarder systems, back-up alarms, Rear bumper height, crossing control arms, window defrosters, body fluid kits, floor covering burn rate, rearview mirrors, passenger seat retention, driver restraint systems, entrance step covering, rear towing devices, electronic circuit protection, interior noise suppression switch, and wheel chair lift requirements.

Concerned individuals should provide comment and input ASAP.

A summary of changes include:

1. SISBO, cover page
2. SISBO, State Board of Education approval date changed from August 13, 2004 to June 16, 2006
3. SISBO, page 2, changes Thirteenth National Conference on School Transportation to the Fourteenth
4. SISBO, page 3 & 4, changes definition of Types A, C & D buses
5. SISBO, page 6, adds rated passenger capacity to determining gross axle weight rating
6. SISBO, page 7, ties parking brake interlock system to the key switch
7. SISBO, page 7, defines air pressure protection valve usage and replaces may include a system for anti-compounding to shall include
8. SISBO, page 8, adds language clarifying front bumpers on A Type buses and their attachment to the frame rails
9. SISBO, page 8, adds strength requirements to tow hooks and exempts Type A buses from the tow hook requirement
10. SISBO, page 9, adds wire gauge size requirement to battery
11. SISBO, page 9, changes alternator amperage requirements to 130 amperes
12. SISBO, page 11, changes provision for daytime running lights from may be provided to shall be
13. SISBO, page 12, changes secondary manufacturers frame modification performance guarantee to an actual warranty
14. SISBO, page 12, changes fuel tank to fuel system
15. SISBO, page 13, adds installation standards for alternative fuel systems
16. SISBO, page 13, changes remotely located governor to an electronic engine speed limiter and clarifies its requirements
17. SISBO, page 13, exempts Type A buses from engine tachometer requirements
18. SISBO, page 14, changes requirements for reading tenths of miles on odometer and requires odometer to be read without using the ignition key
19. SISBO, page 14, changes definition of brake indicator gauge

20. SISBO, page 15, changes capacity requirement of oil filters
21. SISBO, page 15, changes retarder system applicability define actual retarder requirements
22. SISBO, page 18, requires backup alarms to include a variable volume feature which varies the volume level of the alarm
23. SISBO, page 18 & 19, adds battery cable length requirements and requires battery compartments on Type A-1 diesel buses
24. SISBO, page 19, requires rear bumpers to be no more than 30 inches above the ground
25. SISBO, page 21, adds attachment device to bumpers for crossing control arms
26. SISBO, page 21, exempts exterior surfaces of double pane storm windows from defroster requirements
27. SISBO, page, 25, adds pair of examination gloves to body fluids clean-up kit
28. SISBO, page 26, adds a burn rate to floor covering requirements
29. SISBO, page 35, adds that right side rear view mirrors shall not be blocked by the un-wiped portion of the windshield and allows for remote controlled rearview mirrors
30. SISBO, page 37, allows for the use of a second fastener to retain bottom seat cushions
31. SISBO, page 38, defines the type of restraint system to be used with the drivers seat and changes the type of seat belt cutter required on all buses
32. SISBO, page 39, defines the characteristics of step tread material to be used on entrance door steps
33. SISBO, page 40 & 41, redefines the use and type of towing devices to be used on the rear of buses
34. SISBO, page 43, replaces fuse with breaker or electronic protection device
35. SISBO, page 44, adds requirement of a noise suppression switch to be installed in the drivers control panel to deactivate noise producing equipment
36. SISBO, page 48, requires lifts and installations to comply with FMVSS 403 & 404
37. SISBO, page 75, requires districts to track mileage in all non-yellow vehicles used to support pupil transportation separately from bus mileage for reimbursement at the annual rate set by State Board of Examiners
38. SISBO, page 75, limits reimbursable field trips to during the regular scheduled school week
39. SISBO, page 48 & 49, changes the design load of vehicle lifts from 600 to 800 pounds

40. SISBO, page 81: Procedural and reimbursement clarification changes are anticipated, i.e., Reimbursement/Non-reimbursement Matrix.